

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
DUBLIN DIVISION

FILED  
U.S. DISTRICT COURT  
AUGUSTA DIV.

2022 NOV 22 P 2:36

CLERK  
SOUTHERN CT. OF GA.

DEVON LEO PORTER, )  
                          )  
Plaintiff,            )  
                          )  
v.                     )                   CV 322-074  
                          )  
WARDEN JERMAINE WHITE;    )  
JACOB BEASLEY; VERONICA    )  
STEWART; RICKY WILCOX; DOCTOR    )  
DAVID CHENEY; TIMOTHY C. WARD;    )  
ROBERT TOOLE; and TONJA KEITH,    )  
                          )  
Defendants.            )

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**O R D E R**

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After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. (Doc. no. 16.) Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion and **DISMISSES** for failure to state a claim upon which relief may be granted: (1) the claims for deliberate indifference to serious medical need against Defendants White, Beasley, Stewart, Cheney, and Keith; (2) the failure to protect and conditions of confinement claims against all Defendants; and (3) the retaliation claim against Defendant White. As these are the only claims raised against Defendants White, Beasley, Stewart, Cheney, Ward, Toole, and Keith, the Court **DISMISSES** these Defendants from the case. The case shall proceed

against Defendant Wilcox as described in the Magistrate Judge's October 5, 2022 Order. (Doc. no. 10.)

SO ORDERED this 2<sup>nd</sup> day of November, 2022, at Augusta, Georgia.

  
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UNITED STATES DISTRICT JUDGE